

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Lawrence E. Maglin
Debtor(s)

Bankruptcy Case No.: 20-22300-GLT
Issued Per Feb. 4, 2021 Proceeding
Chapter: 13
Docket No.: 33 - 2, 28
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 3, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☒ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Pittsburgh Water and Sewer Authority (Claim No. 4); Nationstar Mortgage (Claim No. 5-2); Pittsburgh City and Pittsburgh School District (Claim No. 8) .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

The secured claim of Santander Consumer USA (Claim No. 1) shall govern as to claim amount, to be paid at the modified plan interest in a monthly amount to be determined by Trustee to pay in full.

Debtor is to file a motion to avoid judgment of SMS Financial (Claim No. 3). Debtor owns real estate by entirety and claimed state exemptions. No know property was attached by judgment.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

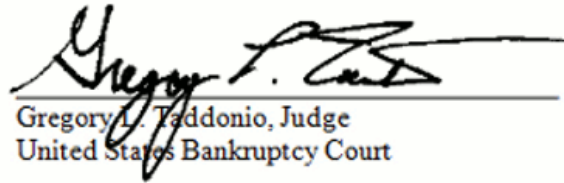
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: February 5, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Lawrence E. Maglin
Debtor

Case No. 20-22300-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Feb 05, 2021

User: jhel
Form ID: 149

Page 1 of 2
Total Noticed: 24

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|---|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |
| ++ | Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4). |
| # | Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 07, 2021:

| Recip ID | Recipient Name and Address |
|----------|--|
| db | + Lawrence E. Maglin, 3416 Beechwood Boulevard, Pittsburgh, PA 15217-2963 |
| cr | + City and School District of Pittsburgh, GRB Law, 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219 UNITED STATES 15219-6101 |
| cr | + Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828 |
| cr | + Pittsburgh Water & Sewer Authority, GRB Law, 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219 UNITED STATES 15219-6101 |
| 15273259 | + Barry W. Krengel, Esquire, 2 Liberty Place, 35th Floor, 50 South 16th Street, Philadelphia, PA 19102-2516 |
| 15298428 | #+ Brunner Quinn, 35 N. Fourth Street, Suite 200, Columbus, Ohio 43215, Columbus, OH 43215-3641 |
| 15296127 | + City and School District of Pittsburgh, 437 Grant Street, 14th Floor, Pittsburgh, PA 15219-6101 |
| 15273261 | ++ DSNB MACY S, CITIBANK, 1000 TECHNOLOGY DRIVE MS 777, O FALLON MO 63368-2222 address filed with court., Macy's, 9111 Duke Boulevard, Mason, OH 45040 |
| 15273262 | + Mr. Cooper Mortgage, 350 Highland Drive, Lewisville, TX 75067-4488 |
| 15285624 | + NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER, P.O. Box 619096, Dallas, TX 75261-9096 |
| 15279096 | + Pittsburgh Water and Sewer Authority, GRB Law, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building Pittsburgh PA 15219-6101 |
| 15273264 | #+ Recovery Funding, 35 North Fourth Street Suite 200, Columbus, OH 43215-3641 |
| 15276400 | + SANTANDER CONSUMER USA, P.O. Box 560284, Dallas, TX 75356-0284 |
| 15273266 | + SMS Financial Services, 6829 North 12th Street, Phoenix, AZ 85014-1109 |
| 15273265 | + Santander Financial, 8585 North Stemmons Freeway, Dallas, TX 75247-3822 |
| 15289703 | UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123 |

TOTAL: 16

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address | Date/Time | Recipient Name and Address |
|----------|--|----------------------|---|
| cr | + Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com | Feb 06 2021 09:40:51 | PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021 |
| 15273260 | + Email/Text: ccusa@ccuhome.com | Feb 06 2021 05:17:00 | Credit Collections U.S.A., 16 Distributor Drive, Suite 1, PO Box 873, Morgantown, WV 26507-0873 |
| 15273261 | Email/PDF: Citi.BNC.Correspondence@citi.com | Feb 06 2021 04:37:47 | Macy's, 9111 Duke Boulevard, Mason, OH 45040 |
| 15276764 | + Email/Text: DSLBKYP@discover.com | Feb 06 2021 05:19:00 | Discover Student Loans, PO Box 30925, Salt Lake City, UT 84130-0925 |
| 15298046 | + Email/Text: kborkley@bernsteinlaw.com | Feb 06 2021 05:19:00 | Duquesne Light Company, c/o Bernstein-Borkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945 |
| 15273263 | Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com | Feb 06 2021 09:40:51 | Portfolio Recovery, 120 Corporate Blvd., Ste. 1, Norfolk, VA 23502 |
| 15287891 | Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com | Feb 06 2021 09:40:51 | Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541 |
| 15278454 | + Email/Text: Iferreira@smsfinancial.net | | |

District/off: 0315-2

User: jhel

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Date Rcvd: Feb 05, 2021

Form ID: 149

Total Noticed: 24

Feb 06 2021 05:19:00

SMS FINANCIAL P, LLC, 6829 NORTH 12TH STREET, PHOENIX, AZ 85014-1109

15273687

+ Email/PDF: gecsed@recoverycorp.com

Feb 06 2021 05:34:26

Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 9

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

| Recip ID | Bypass Reason | Name and Address |
|----------|---------------|--|
| cr | | NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER |
| cr | *+ | Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945 |

TOTAL: 1 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 07, 2021

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 5, 2021 at the address(es) listed below:

| Name | Email Address |
|-------------------------------------|--|
| Brian Nicholas | on behalf of Creditor NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER bnicholas@kmlawgroup.com |
| Jeffrey R. Hunt | on behalf of Creditor Pittsburgh Water & Sewer Authority jhunt@grblaw.com cnoroski@grblaw.com |
| Jeffrey R. Hunt | on behalf of Creditor City and School District of Pittsburgh jhunt@grblaw.com cnoroski@grblaw.com |
| Keri P. Ebeck | on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com |
| Office of the United States Trustee | ustpregion03.pi.ecf@usdoj.gov |
| Ronda J. Winnecour | cmecf@chapter13trusteedpa.com |
| S. James Wallace | on behalf of Creditor Peoples Natural Gas Company LLC ecpeoples@grblaw.com PNGbankruptcy@peoples-gas.com |
| Shawn N. Wright | on behalf of Debtor Lawrence E. Maglin shawn@shawnwrightlaw.com wrightshawn@hotmail.com;wrightshawn49@gmail.com;wrightshawnecf@gmail.com;molly@shawnwrightlaw.com |

TOTAL: 8